

**ANCESTOR-
WORSHIP AND
JAPANESE LAW**

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Ancestor-worship and Japanese Law by Nobushige Hozumi

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BY

NOBUSHIGE HOZUMI.

PROFESSOR OF LAW IN THE IMPERIAL UNIVERSITY OF TOKYO;
ALSO OF THE MIDDLE TEMPLE, BARRISTER-AT-LAW.

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ANCESTOR-WORSHIP AND JAPANESE LAW.



INTRODUCTION.

In Europe and America, Ancestor-Worship has long since ceased to exist, even if it was ever practised at all on those continents. In Japan, where at the present time, a constitutional government is established, where codes of laws modelled upon those of Western countries are in operation, where, in short, almost every art of civilization has taken firm root, the worshipping of deceased ancestors still obtains and still exercises a powerful influence over the laws and customs of the people. The practice dates back to the earliest days of our history and has survived through hundreds of generations, in spite of the many political and social revolutions which have taken place since the foundation of the Empire. The introduction of *Chinese civilization* into the country was favourable to the growth of this custom, by reason of the fact that the morality, laws and institutions of China are also based upon the doctrine of Ancestor-worship. *Buddhism*, which is

not based upon this doctrine, but is, on the contrary, antagonistic to it, was compelled to yield to the deep-rooted belief of the people, and wisely adapted itself to the national practice; while the introduction of *Western civilization*, which has wrought so many social and political changes during the last thirty years, has had no influence whatever in the direction of modifying the custom. Thus, it will be seen that the three *foreign elements*, Confucianism, Buddhism, and Western Civilization, all of which have had immense influence upon our laws, manners and customs, and two of which were diametrically opposed to Ancestor-worship, could not make way against, nor put an end to, the wide-spread and persistent faith of the people.

To Western eyes, the sight would appear strange of a Japanese family inviting their relatives, through the medium of telephone, to take part in a ceremony of this nature; while equally incongruous would seem the spectacle of the members of the family, some of them attired in European and others in native costume, assembled in a room lighted by electricity, making offerings and obeisances before the memorial tablet of their ancestor. The curious blending of Past and Present is one of the most striking phenomena of Japan. The people, whether Shintoists or Buddhists, are all ancestor-worshippers, and it is for that reason

that I venture to approach a subject which has already been most ably dealt with by such distinguished scholars and men of letters as M. Fustel de Coulanges, Sir Henry Maine, Sir John Lubbock, R. v. Jhering, and Dr. Hearn, whose profound investigations have thrown so much light upon the subject. The manner in which these authors have grasped the true inwardness of a custom which is totally foreign to them is little short of marvellous, and their writings leave little room for further investigations. They have, however, observed the phenomena from *without*; and it may, perhaps, be of some interest to examine the subject and to discuss it from the point of view of an Ancestor-worshipper himself.

Before entering upon the main subject of this essay, it will be advisable to say a few words relating to Ancestor-worship in general, and to Japanese Ancestor-worship in particular.

PART I.

ANCESTOR-WORSHIP IN GENERAL.

§ I. THE ORIGIN OF ANCESTOR-WORSHIP.

The origin of Ancestor-worship has been ascribed by many eminent writers to the "*dread of ghosts*";* and the sacrifices are said to have been made to the souls of ancestors for the purpose of *propitiating* them. With the greatest deference due to these writers, I cannot persuade myself to accept this view. It appears to me more correct to attribute the origin of Ancestor-worship to a contrary cause. It was the *love* of ancestors, not the *dread* of them, which gave rise to the custom of worshipping and making offerings of food and drink to their spirits. I cannot understand why a primitive people, who must have loved their parents in their life-time, should have experienc-

* Sir John Lubbock's *Origin of Civilization* 4th ed. p. 318; Jhering's *Vorgeschichte der Indoeuropaer*, s. 59; Fustel de Coulange's *La Cité Antique* ch. II.